

राजपत्र, हिमाचल प्रदेश

(श्रसाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

े शिमला, बृहस्पतिवार, 29 प्रक्तूबर, 1959/7 कार्तिक, 1881

HIMACHAL PRADESH ADMINISTRATION

REVENUE AND EXCISE DEPARTMENT

NOTIFICATION

Simla-4, the 12th August, 1959/21st Sravana, 1881

No. Ex. 9-384/59.—The Government of India, Ministry of Finance (Department of Economic Affairs) Notifications Nos. GSR. 896-898 and No. GSR. 1059, dated the 23rd September, 1958 and 29th October, 1958 respectively are reproduced below for information of the general public.

RAGHUBIR SINGH, Joint Secretary (Revenuc).

MINISTRY OF FINANCE (Department of Economic Affairs)

NOTIFICATIONS

New Delhi, the 23rd September, 1958/Asvina 1, 1880

G.S.R. 896.—In exercise of the powers conferred by sub-section (1) of section 13 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby makes the following amendments in the Central Sales Tax (Registration and Turnover) Rules, 1957, namely:—

In the said Rules-

(i) in rule 2, after clauses (a), (c) and (d), the following clauses shall respectively be inserted, namely:—

"(aa)—'authorised officer' means an officer authorised by the Central

Government under clause (b) of sub-section (4) of section 8;

(cc)—'prescribed authority' means the authority empowered by the Central Government under sub-section (3) of section 9, or the authority prescribed by a State Government under clause (e) of sub-section (4) of

section 13 as the case may be; (dd)—'transferor' means any person who effects a sale in the mode referred to in clause (b) of section 3;";

(ii) In rule 4, after sub-rule (2), the following sub-rule shall be inserted

namely:-"(3) A fee of Rs. 5 shall be payable in respect of every application for registration under sub-rule (1) or sub-rule (2); and such fee may be paid in the form of court-fee stamps affixed to such application.":

(iii) In rule 5—

(a) In sub-rule (1), after the words "that the particulars contained in the application are correct and complete", the words, brackets and figures "and the fee referred to in sub-rule (3) of rule 4 has been paid" shall be inserted:

(b) for sub-rule (2), the following sub-rule shall be substituted, namely:— "(2) When the said authority is not satisfied that the particulars contained in the application are correct and complete, or where the fee referred to in sub-rule (3) of rule 4 has not been paid, he shall reject the application for reasons to be recorded in writing:

Provided that before the application is rejected the applicant shall be given an opportunity of being heard in the matter and, as the case may be, of correcting and completing the said particulars or complying with the requirements of sub-rule (3) of rule 4.";

(iv) For rule 9 and the heading before it, the following shall be substituted, namely:-

"Amendment or cancellation of certificate of registration—

9(1) A notified authority shall, before amending or cancelling, as the case may be, the cerificate of registration of a dealer under sub-section (4) of section 7, give him an opportunity of being heard in the matter.

(2) If the certificate of registration is proposed to be amended, the dealer shall forthwith produce to the notified authority the certificate of registration and the copies thereof, if any, granted to him, for having them amended.

(3) If the certificate of registration is cancelled, the dealer shall forthwith surrender to the notified authority the certificate of registration and the copies thereof, if any, granted to him.";

(v) In rule 11, for sub-rule (2), the following sub-rule shall be substituted, namely:-

"(2) In determining the turnover of a dealer for the purposes of section 8, there shall be deducted the sale price of all goods returned to the dealer by the purchaser of such goods within a period of three months

from the date of delivery of the goods; Provided that satisfactory evidence of such return of goods and such repayment of the amount by way of refund in cash or adjustment in accounts, is produced before the prescribed authority.";

- (vi) For rule 12, the following rule shall be substituted namely:—
- "12. (1) The declaration and the certificate referred to in sub-section (4) of section 8 shall be in Forms 'C' and 'D' respectively:
- Provided that the declaration in Form 'C' as in force immediately before the 1st October, 1958 may also be used up to the 30th September, 1959 with suitable modifications.
 - (2) The certificate referred to in sub-section (2) of section 6 shall be in Form 'El' or Form 'Ell', as the case may be .";
- (vii) after rule 12, the following heading and rule shall be inserted, namely:—
 "Prescription of goods for certain purposes—
- 13. The goods referred to in clause (b) of sub-section (3) of section 8, which a registered dealer may purchase, shall be goods intended for use by him as raw materials, processing materials, machinery, plant, equipment, tools, stores, spare parts, accessories, fuel, or lubricants, in the manufacture or processing of goods for sale or in mining, or in the generation or distribution of electricity of or any other form of power.";

(viii) In Form 'A'-

- - (a) resale.....

 - (d) use in the generation or distribution of electricity or any other form

 - 17. We manufacture, process, or extract in mining the following classes of
 - goods or generate or distribute the following form of power, namely:—
 - (b) the following foot-note to item 16 shall be inserted, namely:—
 - "**Here name the goods or classes of goods against each category";
- (ix) In Form 'B' for the words brackets, letters and figures commencing form "The class (es) of goods" and ending with "(c) for use in the execution of contracts", the following shall be substituted namely:—
 - "The class(es) of goods specified for the purposes of sub-sections (1) and (3) of section 8 of the said Act is/are as follows and the sales of these goods in the course of inter-State trade to the dealer shall be taxable at the rate specified in that sub-section subject to the provisions of subsection (4) of the said section:—
 - (a) for resale.....
 - (b) for use in the manufacture or processing of goods for sale.......

 - (e) for use in the packing of goods for sale/resale.....
 - The dealer manufactures, processes, or extracts in mining the following classes of goods or generators or distributes the following form of power, namely:—

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(x) For Form 'C', the following Form	Form shall be substituted, namely:—		17
COUNTERFOIL	DUPLICATE	ORIGINAL	70
IE CENTRAL SALES TAX ration & Turnover) Rufes, 1957 FORM 'C'	THE CENTRAL SALES TAX (Registration & Turnover) Rules, 1957 FORM 'C'	THE CENTRAL SALES TAX (Registration & Turnover) Rules, 1957.	श्रसाधारण
Form of Declaration [See rule 12(1)]	Form of Declaration [See rule 12(1)]	Form of Declaration (See rule 12(1)]	राजपत्र
f issuefr issue	Office of issue	Office of issue	, हिमाच
e of the purchasing dealer to ssued along with his Registration ate No.	Name of the purchasing dealer to whom issued along with his Registration Certificate No	Name of the purchasing dealer to whom issued along with his Registration Certificate No.	ाल प्रदेश,
from which registration is valid serial No.	Date from which registration is valid	Date from which registration is valid.	29
Seal of issuing authority.	Seal of issuing authority.	Seal of issuing authority.	त्र क्तृबर,
(Seller.)	To (Seller)	To †(Seller)	1959/
d that the goods.	Certified that the goods. **ordered for in our purchase order No.	Certified that the goods. **ordered for in our purchase order No.	7 कार्तिव
nemo stated belowt	dtpurchased from you as per bill/ cash memo stated belowt	dtpurchased from you as per bill/ cash memo	5, 1881

Name of the purchasing dealer to whom issued along with his Registration

Date of issue..... Office of issue.....

Date from which registration is valid

Certificate No.....

Name of issuing State.....

(Registration & Turnover) Rules, 1957

THE CENTRAL SALES TAX

1

dt.....purchased from you as per

bill/cash memo

**ordered for in our purchase order No.

Certified that the goods.

(Signature and status of the

person signing the declaration

Mame and address of the seller with name

of the State.

Date.....No.....Amount......

*Particulars of Bill/Cash Memo.

supplied under your chalan No...dt.... use in manufacture/processing of goods for sale use in mining are for /**resale goods for sale

supplied under your chalan No...dt.... use in manufacture/processing of are for/**resale

use in manufacture/processing of

goods for sale

use in mining

supplied under your chalan No. dt....

are for/**resale

use in generation/distribution of use in mining

and are covered by my/our registration certificate No.....dt.....issued under the power/packing of goods for sale/ Central Sales Tax Act, 1956. use in generation/distribution of power/packing of goods for sale/ and are covered by my/our registration certificate No....dt....issued under

tificate No...dt...issued under the Central Sales Tax Act, 1956. and are covered by my/our registration cer-Name and address of the purchasing dealer

Date..... ın tull. Name and address of the purchasing dealer (Signature and status of the person signing the declaration) Date..... in full.....

Name and address of the purchasing

dealer in full....

Date..

the Central Sales Tax Act, 1956.

(Signature and status of the person signing the declaration)

*Particulars of Bill/Cash Memo.

†Name and address of the seller with name Date.....No....Amount..... *Particulars of Bill/Cash Memo. Date....No....Amount.....

(NOTE.—To be retained by the purchasing (NOTE.—To be retained by the selling **Strike out whichever is not applicable. **Strike out whichever is not applicable. of the State. Mame and address of the seller with name of the State.

171 rules framed under section 13(4)(e)

appropriate

Government).1

by the

authority in accordance with the

1881

[(Note,—To be furnished to the prescribed

**Strike out whichever is not applicable.

Central Government/Name of the State (To be used when making purchases by Name of Issuing Ministry/Department.... Name of address of Office of Issue...... (Registration and Turnover) Rules, 1957 Government not being a registered dealer) ORIGINAL THE CENTRAL SALES TAX ((See rule 12(1)) purchases FORM 'D' Government Certified that the goods

Form of Certificate for making Govern- Form of Certificate for making Government Form of Certificate for making Government (To be used when making purchases by (To be used when making purchases by [(See rule 12(1)]+(Seller) purchases Central Government/Name of the State Government not being a registered Name of Issuing Ministry/Department.. Name and address of Office of Issue.... [(See rule 12(1)] ment purchases†(Seller)

(xi) After Form 'C' as so revised, the following Forms shall be inserted namely:-

COUNTERFOIL

DUPLICATE

(Registration and Turnover) Rules, 1957

(Registration and Turnover) Rules, 1957

FORM 'D'

THE CENTRAL SALES TAX

FORM 'D'

THE CENTRAL SALES TAX

Central Government/Name of the State Name of issuing Ministry/Department.... Name and address of Office of Issue...... Government not being a registered dealer) Government Certified that the goods

Government

dealer

**ordered for in our purchase order purchased from you as per bill/cash memo stated below*

purchased from you as per bill/cash memo

from you as per bill/cash

purchased

memo

stated below*

**ordered for in our purchase order No.....dt.....

**ordered for in our purchase order

Certified that the goods

No......dt.....

stated below*

((Note.—To be furnished to the prescribed

**Strike out whichever is not applicable,

Signature...... of the Government..... OF THE GOVERNMENT AUTHORISED OFFICER Designation of the authorised Officer SALE OF THE DULY Date.....

supplied under your chalan No....dt....

Government of

Date..... Signature

supplied under your chalan No...dt.... are purchased by or on behalf of the

.Government of

are purchased by or on behalf of the supplied under your chalan No..dt....

Government of

Date

Date....No....Amount fParticulars of Bill/Cash Memo, tParticulars of the Bill/Cash Memo. of the Government.. authorised Officer Designation of the AUTHORISED OFFICER OF THE GOVERNMENT SEAL OF THE DULY

Date....No.....Amount *Name and address of the seller with name of the State.

*Name and address of the seller with name

of the State.

(Note.—To be retained by the authoris- (Note.—To be retained by the selling ed officer), **Strike out whichever is not applicable.

**Strike out whichever is not applicable,

*Name and address of the seller with Date....No....Amount

name of the State,

†Particulars of Bill/Cash Memo.

AUTHORISED OFFICER OF THE GOVERNMENT

SEAL OF THE DULY

of the Government, authorised Officer Designation of the Signature

authority in accordance with the by the appropriate State Governrules framed under section 13(3)

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the goods have been consigned by Name of place and State to which

B. (i) Name of the purchasing dealer

A. Name of the selling dealer

A. Name of the selling dealer..... B. (i) Name of the purchasing dealer.....

(ii) Address (with State)......

C. (1) Name of place and State in which movement commenced.....

movement commenced......

the goods have been consigned by

C. (i) Name of place and State in which

C. (i) Name of place and State in which

the goods have been consigned by

the signatory....

Name of place and State to which

movement commenced.....

B. (i) Name of the purchasing dealer...

A. Name of the selling dealer falling under section 3(b).]

(ii) Address (with State).....

(ii) Address (with State)....

(ii) Description, quantity and value of

D. (i) Invoice No. and date......

the signatory

(iii) No, and date of the declaration Form 'C' received from purchasing

(iii) No. and date of the declaration Form 'C' received from purchasing

form 'C' received from purchasing

dealer with name of State of issue

(ii) Description, quantity and value of (iii) No. and date of the declaration

D. (i) Invoice No. and date......

dealer with name of State of issue

(ii) Description, quantity and value of

goods.....

D. (i) Invoice No. and date

the signatory

dealer with name of State of issue

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SALES	rnover)
CENTRAL	T
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THE CE	(Registration

THE CENTRAL SALE

FORM 'E-I'

NAME OF STATE

Serial No

Certificate under sub-section (2) of section 6

[(See rule 12(1)

(Registration & Turnover) Rules, 1957

Registration & Turnover) Rules, 1957

FORM 'E-1'

NAME OF STATE

THE CENTRAL SALES TAX

COUNTERFOIL

FORM

NAME OF STATE

Serial No.

Certificate under sub-section (2) of section 6

(See rule 12(2)

To be issued (in duplicate) (i) by the

goods in the case of a sale falling under selling dealer who first moved the

section 3(a) or (ii) by the dealer who makes the first inter-State sale during the movement of the goods from one State to another in the case of a sale

THE CENTRAL SALES TAX

DUPLICATE

(To be issued (in duplicate) (i) by the selling

dealer who first moved the goods in the

case of a sale falling under section 3(a) or (ii) by the dealer who makes the first inter-State sale during the movement of the

goods from one State to another in the

case of a sale falling under section 3(b).

dealer who first moved the goods in the

case of a sale falling under section 3(a) or

ii) by the dealer who makes the first inter-

State sale during the movement of the goods from one State to another in the case of a sale falling under section 3(b).

(To be issued (in duplicate) (i) by the selling

Certificate under sub-section (2) of section 6

[(See rulc 12(2)]

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Status or relationship of

Signature

prietor, director, officer

in-charge of the Govern-

nent business)

manager, partner, pro-

the person

Trip Sheet of Lorry/or any other document of other means of transport I/We the selling dealer mentioned above do the Act and am/are holding registration certificate No...dated....in the State of sale of goods covered by documents whose priate sales-tax authority of the State of oay/have paid tax under the Act on the (iv) No. and date of the Railway Receipt/ certify that I/We am/are registered under I/We further certify that I/We will particulars are given above, to the appro-(iv) No. and date of the Railway Receipt/ Trip Sheet of Lorry/or any other docu-I/We the selling dealer mentioned above do ment of another means of transport certify that I/We am/are registered under certificate No...dated..in the State of ... I/We further certify that I/We will pay/ the Act and am/are holding registration

have paid tax under the Act on the sale priate sates-tax authority of the State of of the goods covered by documents whose particulars are given above, to the appro-Signature

in the State of I/We further certify that I/We will pay/have paid tax

registration certificate No...dated..

under the Act on the sale of the goods covered by documents whose particulars are given above; to the appro-

pt/Trip Sheet of Lorry/or any other

document of other means of trans-

/We the selling dealer mentioned above do certify that I/We am/are registered under the Act and am/are holding

(iv) No. and date of the Railway Recei-

Status or relationship of manager, partner, proprietor, director, officerin-charge of the Governperson

of the person (e.g.,

Status or relationship

Signature,....

priate sales-tax authority of the State

partner,

director,

proprietor,

manager,

officer-in-charge of the

(with name of the State) ment business) Dated.....Adress Government business)

.... Address

(N.B-To be retained by the dealer receiving he certificate. (N.B.—To be retained by the dealer (with name of the State)

issuing the certificate,

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rules framed under section 13(3) by the appropriate State Governmentl.

[Note,—To be furnished to the prescribed

(with name of the State)

... Address

Dated

authority in accordance with the

Serial No.

ment commenced

dealer

	ग्रसा	धा
(ii) Name of place and State to which the goods have	been consigned	D (i) Invoice No and date
(ii) Name of place and State to which the goods have	been consigned	(1) Inspired Me and date

(ii) Name of place and State to which the goods have

been consigned

ग्रस	भ	ारम	राजपत्र,	हिमाचल	प्रदेश,	29	ग्रक्तूबरं,
			•	•			-
	2.	•	•	•			
•		•	•	•		10.	
•		•	•	•			1
•			•	•		•	
•		•	•	•			;

I/We the selling dealer do certify that Receipt/Trip Sheet of Lorry/ (ii) Description, quantity and ration Form 'C' received from purchasing dealer (iv) No. and date of the Railway or any other document of (iii) No. and date of the declawith name of State of issue D. (1) Invoice , No. and date other means of transport value of goods

Receipt/Trip Sheet of Lorry/ with name of State of issue or any other document of from purchasing dealer (vi) No. and date of the Railway (ii) Description, quantity and (iii) No. and date of the declaration Form 'C' received other means of transport D. (i) Invoice No. and date value of goods

and am/are holding registration certificate No.,..dated....in the ments of title to the goods during another referred to in item C above (a) I am/We are registered under the Act (b) I/We, having purchased the docutheir movement from one State to against a certificate No...... State of

(b) I/We, having purchased the docu-

State of

ments of title to the goods during their movement from one State to

(a) I am/We are registered under the Act

I/We the selling dealer do certify that-

. I/We the selling dealer do certify that-

ment of other means of Lorry/or any other docuway Recipt/Trip Sheet of

transport

(iv) No. and date of the Rail-

from purchasing dealer with name of State of

(iii) No. and date of the declaration Form 'C' received

(ii) Description, quantity and

value of goods

D. (i) Invoice No. and date

certificate No. dated...in the and am/are holding registration

tion certificate No. dated .. in the

State of

Act and am/are holding registra-

(a) I am/We are registered under the

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a subsequent sale during such movement by transferring the same in Form EI/EII, have now effected

> movement by transferring the same in favour of the purchasing dealer

ment by transferring the same in favour of the purchasing dealer whose address is given in this certi-

whose address is given in the certi-

a subsequent sale during such

in Form EI/EII, have now effected

against a cerficate No.....

another referred to in item C above

another referred to in item C above,

ments of title to the goods during their movement from one State to

(b) I/We, having purchased the docu-

in Form EI/EII, have now effected a subsequent sale during such move-

against a certificate No......

in favour of the purchasing dealer whose address is given in the certi-

(c) the dealer from whom I/We gurchase the documents of title to the goods during the movement referred to in (b) above, has certified (i) that he has paid/will pay the tax or (ii) that the tax has been/will be paid by any of the preceding transferors of documents of title to the goods.
(c) the dealer from whom I/We purchased the documents of title to the goods during the movement referred to in (b) above, has certified (i) that he has paid/will pay the tax or (ii) that the tax has been/will be paid by any of the preceding transferors of documents of title to the goods.
sed the documents of title to the goods during the movement referred to in (b) above, as certified (i) that he has paid/will pay the tax or (ii) that the tax has been/will be paid by any of the preceding transferors of documents of title to the goods.

person (e. g., prietor, director, officermanager, partner, pro-Status or relationship of Signature documents of title to the goods. Status or relationship of Place..... Signature prietor, director, officerperson (e. g., manager, partner, prodocuments of title to the goods.

Government business) (with name of the State) in-charge Address in-charge of the Govern-(with name of the State) ment business) Dated..... Address Status or relationship of the person (e.g., manager, partner, proprietor, director, officer-in-charge - of Signature Government (with name of the State) business).....

(N.B.—To be retained by the dealer receiving the certificate. (N.B.—To be retained by the dealer issuing the certificate.)

Dated Address

authority in accordance with the

rules framed under section 13(3) by the appropriate State Govern-

[No. 8 (8)-ST/58]

ment.)

(Note.—To be furnished to the prescribed

1881

G.S.R. 897—In exercise of the powers couferred by sub-section (3) of section 1 of the Central Sales Tax Act, 1956 (74 of 1956), and in supersession of the Notification of the Ministry of Finance, Department of Economic Affairs, G.S.R. 521, dated the 10th June, 1958, the Central Government hereby appoints the first day of October, 1958, as the date on which section 15 of the said Act as amended by section 11 of the Central Sales Tax (Second Amendment) Act, 1958 (31 of 1958), shall come into force.

[No. 9(116)-ST/57-I).

(DEPARTMENT OF ECONOMIC AFFAIRS)

ORDER

New Delhi, the 23rd September, 1958

G.S.R. 898.—In pursuance of clause (b) of sub-section (4) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby specifies the officers duly authorised by the Central or a State Government to effect purchases of goods on its behalf as the authorised officer for the purposes of the said clause (b).

[No. 9(116)-ST/57-I]

M. K. VENKATACHALAM,

Deputy Secretary.

Copy of Corrigenda No. F. 8(8)-ST/58, dated the 29th October, 1958/Kartika 7, 1880 (Saka) from the Deputy Secretary to the Government of India, Ministry of Finance (Department of Economic Affairs)

G.S.R. 1059.—In the Notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. G.S.R. 896, dated the 23rd September, 1958 published at pages 465—475 of Part II, section 3, sub-section(i), of the Gazette of India Extraordinary dated the 1st October, 1958, the following corrections shall be made, namely:—

- 1. Page 466.—In line 38, for "machinery plant,", substitute "machinery, plant,".
- 2. Page 466.—In line 47, for "resale", substitute "resale....".
- 3. Page 467.—In line 8, for 'in the cause of', substitute 'in the course of'.
- 4. Page 468.—(a) In line 1, for "After Form 'C", substitute "for Form 'C'";
 - (b) In the portion marked 'original' of Form 'C', in gine 13, for "valid", substitute "is valid";

(c) in all the 3 parts of Form 'C',—

(i) in line 19, for "*(Seller)", substitute "†(Seller)";

(ii) in lines 21—32, for the words commencing from "Certified that the goods" and ending with "packing of goods for sale/resale" substitute the following namely:—
"Certified that the goods

**ordered for in our purchase order No......

dated......purchased from you as per bill/
cash memo stated below* supplied under your chalan
No.....dated......

are for

use in manufacture/processing of goods for sale use in mining use in generation/distribution of power packing of goods for sale/resale;" 5. Pages 470-471.—In Form 'D',—

(a) in the portion marked 'origina	G	a)	in	the	portion	marked	'original'
------------------------------------	---	----	----	-----	---------	--------	------------

- (ii) in line 19, omit "dated....."
- (iii) in line 34, for "*Name", substitute "†Name".
 (b) in the portion marked 'Duplicate', in line 33, for
- "*Name", substitute "†Name".

 6. Pages 472-473.—In Form 'EI'.—
- (a) in the portion marked "Counterfoil" in line 38, for the words "I we", substitute "I/We";.
 - (b) in the portion marked "Duplicate", in the line 33, for the word "another", substitute "other".
- 7. Pages 474-475.—In Form 'E-II',—
 (a) in the portion marked 'duplicate', in line 42, for the word 'date',
 - substitute 'dated';
 (b) in the portion marked 'original', in the last line, for "State", substitute
 "State".